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EXAMINER

MEUCCI, MICHAEL D

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/607,618

Applicant(s)

MARKKI ET AL.

Examiner

Michael D. Meucci

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/23/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in regards to the Request for Reconsideration received on 23 December 2004.
2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Priority

3. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

A newly executed oath or declaration must be filed in any continuation-in-part application, which application may name all, more, or fewer than all of the inventors named in the prior application. See 37 CFR 1.63(e). Also, a continuation or divisional application filed under 37 CFR 1.53(b) (other than a

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continuation-in-part (CIP)) may be filed with a copy of the oath or declaration from the prior nonprovisional application. See 37 CFR 1.63(d)(1)(iv).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 1 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 specifies: "freezing display..." which can be interpreted in several ways including, but not limited to "stopping/locking display from receiving notifications" and "freezing only the notification on the display". Applicant is reminded it is noted that the features upon which applicant relies (i.e., "capturing the current visual state of the screensaver") are not recited in the rejected claim. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). It is noted that this rejection could have been applied to claims 29, 32, and 60 in view of similar conflicting clauses. Appropriate action is required.

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6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 17, 32, and 48 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear to the examiner what is meant to be disclosed by "an idle state". For the purpose of applying art, it will be presumed that "an idle state" was meant to disclose the time when the user interface is not in communication with the CPU, the user, or anything else.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-4, 6, 8, 10, 15, 32-35, 37, 39, 41, and 46 rejected under 35 U.S.C. 102(e) as being anticipated by Skladman et al. (U.S. 6,400,810 B1) hereinafter referred to as Skladman.

- a. As per claim 1, Skladman teaches: displaying to said user, in accordance with one or more specified criteria, one or more notifications

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corresponding to one or more events known by a node of said user, wherein each of said notifications describes one or more of said events (abstract and lines 39-32 of column 1); displaying performed while user interface of said node is in an idle state (lines 37-40 of column 3); freezing display of said notifications (lines 24-47 of column 3, lines 44-65 of column 6 and lines 11-19 of column 7); and enabling said user to select one or more of said notifications for corresponding operations (lines 42-48 of column 1).

b. As per claims 2 and 33, Skladman teaches: one or more of said events relate to software accessible by said node (line 48 of column 3 through line 34 of column 4).

c. As per claims 3 and 34, Skladman teaches: one or more of said events relate to one or more messages received by said node (abstract and lines 39-32 of column 1).

d. As per claims 4 and 35, Skladman teaches: one or more of said messages correspond to one or more entities (lines 49-62 of column 1 and lines 21-34 of column 2).

e. As per claims 6 and 37, Skladman teaches: two or more of said notifications are displayed simultaneously to said user (lines 44-49 of column 6 and Fig. 5).

f. As per claims 8 and 39, Skladman teaches: one or more of said notifications are textual notifications (lines 42-48 of column 1).

g. As per claims 10 and 41, Skladman teaches: said criteria are provided by said user (lines 21-34 of column 2).

h. As per claims 15 and 46, Skladman teaches: activating software corresponding to a selected notification (lines 20-34 of column 4).

i. As per claim 32, Skladman teaches: memory, processor, and program code (inherent in computerized e-mail system); displaying to said user, in accordance with one or more specified criteria, one or more notifications corresponding to one or more events known by a node of said user, wherein each of said notifications describes one or more of said events (abstract); freezing display of said notifications (lines 24-47 of column 3); and enabling said user to select one or more of said notifications for corresponding operations (lines 42-48 of column 1).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 5 and 36 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman as applied to claims 3 and 34 respectively, in view of Kaars (U.S. PG Pub. 2002/0059384 A1).

Skladman fails to teach one or more of said messages correspond to chat. However, Kaars discloses: "A user who has installed an IM program is set up for a communications service that enables to create a private chat room with another individual," (paragraph [0005] on page 1).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have messages corresponding to chat. "A chat room is a channel that creates a peer-to-peer communication data path, e.g., for text messaging or (PC) video conferencing. Typically, the instant messaging system alerts the user whenever another individual on the user's private chat list is online. The user can then initiate a chat session with that particular individual," (paragraph [0005] on page 1 in Kaars). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have one or more of said messages correspond to chat in the system as taught by Skladman.

12. Claims 7 and 38 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman as applied to claims 1 and 32 respectively, in view of Reed et al. (U.S. 5,862,325) hereinafter referred to as Reed.

Skladman fails to teach displaying via a screensaver. However, Reed discloses: "Notification methods may trigger any method operation available to the consumer program 22. Other examples include sending messages to other applications running on the consumer machine 2; sending messages to the consumer's operating system to trigger dialog boxes or trigger other system events; creating or controlling a screensaver display on the consumer machine 2; creating or controlling a background desktop graphic or set of graphics on the consumer machine 2; and sending voicemail to the recipient," (lines 17-26 of column 66).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to display via a screensaver. "Notification methods 141 can also be assigned to communications objects as a whole. For example, notification about new communications objects can be controlled through a NewObjectNotify method of the global preferences instance (103, FIG. 3). Described further above, the use of the NewObjectNotify method is illustrated in steps 704-706 of FIG. 15. Notification at the object level is also useful for certain communications object updates," (lines 30-37 of column 66 in Reed). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to display via a screensaver in the system as taught by Skladman.

13. Claims 9 and 40 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman as applied to claims 1 and 32 respectively, in view of Reed.

Skladman fails to teach one or more of said notifications are graphical notifications. However, Reed discloses: "Notification methods may trigger any method operation available to the consumer program 22. Other examples include sending messages to other applications running on the consumer machine 2; sending messages to the consumer's operating system to trigger dialog boxes or trigger other system events; creating or controlling a screensaver display on the consumer machine 2; creating or controlling a background desktop graphic or set of graphics on the consumer machine 2; and sending voicemail to the recipient," (lines 17-26 of column 66).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have one or more of said notifications as graphical notifications. "Notification methods 141 can also be assigned to communications objects as a whole. For example, notification about new communications objects can be controlled through a NewObjectNotify method of the global preferences instance (103, FIG. 3). Described further above, the use of the NewObjectNotify method is illustrated in steps 704-706 of FIG. 15. Notification at the object level is also useful for certain communications object updates," (lines 30-37 of column 66 in Reed). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have one or more of said notifications as graphical notifications in the system as taught by Skladman.

14. Claims 11 and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman as applied to claims 1 and 32 respectively, in view of Dillon (U.S. 6,067,561).

Skladman fails to teach criteria provided by a system administrator. However, Dillon discloses: "Moreover, the e-mail notification may also be used to indicate to an e-mail alert service subscriber that his e-mail alert account is 'blocked' or disabled for administrative reasons," (lines 15-18 of column 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have criteria provided by a system administrator. "In other words, an e-mail account is said to be blocked when the e-mail alert system simply will not provide the e-mail alert service subscriber with e-mail

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notifications,” (lines 19-22 of column 4 in Dillon). It is for this reason that one of ordinary skill in the art at the time of the applicant’s invention would have been motivated to have criteria provided by a system administrator in the system as taught by Skladman.

15. Claims 12 and 43 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman as applied to claims 1 and 32, in view of Reed.

Skladman fails to teach one or more of said criteria are metadata. However, Reed discloses: “Service objects and partner servers provide specialized data, metadata, and methods to providers and consumers to automate many common communications services and transactions useful to both providers and consumers,” (abstract).

It would have been obvious to have one or more of said criteria as metadata. “A combination of the provider and consumer programs and databases allows for additional functionality, including coordination of multiple users for a single database,” (abstract of Reed). It is for this reason that one of ordinary skill in the art at the time of the applicant’s invention would have been motivated to have one or more of said criteria as metadata in the system as taught by Skladman.

16. Claims 13-14 and 44-45 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman as applied to claims 1 and 32 respectively, in view of McKinley (U.S. 4,926,326).

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Skladman fails to teach scrolling notifications and three-dimensional scrolling. However, McKinley discloses: "the message may silently crawl, pause, sequence, scroll up and down, zoom, blink, wipe on, and Venetian to mention other alternatives," (lines 37-39 of column 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have scrolling notifications and three-dimensional scrolling. "The message display system of the present invention is not only beneficial to the individual member of the general public of local user, but also may provide some entertainment and a form of amusement," (lines 14-17 of column 4 in McKinley). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have scrolling notifications and three-dimensional scrolling in the system as taught by Skladman.

17. Claims 16 and 47 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman as applied to claims 1 and 32 respectively, in view of Wong et al. (U.S. 5,542,115) hereinafter referred to as Wong.

Skladman fails to teach providing a tactile indication to said user. However, Wong discloses: "if pager unit 22 is in a vibrate mode, microprocessor 80 outputs a signal which causes I/O interface 86 to issue a further signal to activate vibrator 95 (step 322)," (lines 58-61 of column 7)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide a tactile indication to said user. "Notification

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to the user (either via beeper 94 and/or vibrator 95)” is the motivation for the addition of a tactile indication (lines 65-66 of column 7). It is for this reason that one of ordinary skill in the art at the time of the applicant’s invention would have been motivated to provide a tactile indication to said user in the system as taught by Skladman.

18. Claims 17-18, 20, 22, 24, 29-30, 48-49, 51, 53, 55, and 60-61 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Lagimonier et al. (US PG Pub. 2003/0041265 A1) hereinafter referred to as Lagimonier.

a. As per claims 17 and 48, Skladman teaches: memory, processor, and program code (inherent in computerized e-mail system); receiving from one of said nodes, one or more messages to be bypassed (abstract and lines 35-42 of column 2); displaying to said user one or more notifications corresponding to one or more of said messages to be bypassed wherein each of the messages to be bypassed to which said notifications correspond matches one or more specified criteria, wherein each of said notifications describes one or more of messages to which said notifications correspond (abstract and lines 35-42 of column 2); maintaining, receiving, and displaying are performed while a user interface of said node is in an idle state (lines 37-40 of column 3).

Skladman fails to teach: maintaining a number of authenticated connections to one or more nodes in said peer-to-peer environment. However, Lagimonier discloses: “Yet another aspect of the present invention provides for a

system for processing messages in a peer-to-peer configuration. The system comprises a first peer configured to provide secure communication, a second peer configured to provide secure communication, and a secure communication module, where the secure communication module is configured to be executed by the first peer and second peer,” (paragraph [0015] on page 2).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to maintain a number of authenticated connections to one or more nodes in said peer-to-peer environment. “The secure communication module is configured to compare the nonce value to a filter in response to a nonce value of a received packet not exceeding a largest nonce value yet seen and the secure communication module is also configured to compare the nonce value to a replay mask. The secure communication module is further configured to accept the received packet in response to the comparison of the nonce value and the replay mask being false,” (paragraph [0015] on page 2 in Lagimonier). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to maintain a number of authenticated connections to one or more nodes in said peer-to-peer environment in the system as taught by Skladman.

b. As per claims 18 and 49, Skladman teaches one or more of the received messages to be bypassed correspond to one or more entities (abstract).

c. As per claims 20 and 51, Skladman teaches: two or more of said notifications are displayed simultaneously to said user (lines 44-49 of column 6 and Fig. 5).

d. As per claims 22 and 53, Skladman teaches: one or more of said notifications are textual notifications (lines 42-48 of column 1).

e. As per claims 24 and 55, Skladman teaches: said criteria are provided by said user (lines 21-34 of column 2).

f. As per claims 29 and 60, Skladman teaches: freezing display of said notifications (lines 24-47 of column 3); and enabling said user to select one or more of said notifications for corresponding operations (lines 42-48 of column 1).

g. As per claims 30 and 61, Skladman teaches: activating software corresponding to a selected notification (lines 20-34 of column 4).

19. Claims 19 and 50 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Lagimonier as applied to claims 17 and 48 respectively, further in view of Kaars

Skladman and Lagimonier fail to teach one or more of said messages correspond to chat. However, Kaars discloses: "A user who has installed an IM program is set up for a communications service that enables to create a private chat room with another individual," (paragraph [0005] on page 1).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have messages corresponding to chat. "A chat room is a channel that creates a peer-to-peer communication data path, e.g., for text messaging or (PC) video conferencing. Typically, the instant messaging system alerts the user whenever another individual on the user's private chat list is

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online. The user can then initiate a chat session with that particular individual," (paragraph [0005] on page 1 in Kaars). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have one or more of said messages correspond to chat in the system as taught by Skladman and Lagimonier.

20. Claims 21 and 52 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Lagimonier as applied to claims 17 and 48 respectively, further in view of Reed.

Skladman and Lagimonier fail to teach displaying via a screensaver. However, Reed discloses: "Notification methods may trigger any method operation available to the consumer program 22. Other examples include sending messages to other applications running on the consumer machine 2; sending messages to the consumer's operating system to trigger dialog boxes or trigger other system events; creating or controlling a screensaver display on the consumer machine 2; creating or controlling a background desktop graphic or set of graphics on the consumer machine 2; and sending voicemail to the recipient," (lines 17-26 of column 66).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to display via a screensaver. "Notification methods 141 can also be assigned to communications objects as a whole. For example, notification about new communications objects can be controlled through a NewObjectNotify method of the global preferences instance (103, FIG. 3).

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Described further above, the use of the NewObjectNotify method is illustrated in steps 704-706 of FIG. 15. Notification at the object level is also useful for certain communications object updates," (lines 30-37 of column 66 in Reed). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to display via a screensaver in the system as taught by Skladman and Lagimonier.

21. Claims 23 and 54 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Lagimonier as applied to claims 17 and 48 respectively, further in view of Reed.

Skladman and Lagimonier fail to teach one or more of said notifications are graphical notifications. However, Reed discloses: "Notification methods may trigger any method operation available to the consumer program 22. Other examples include sending messages to other applications running on the consumer machine 2; sending messages to the consumer's operating system to trigger dialog boxes or trigger other system events; creating or controlling a screensaver display on the consumer machine 2; creating or controlling a background desktop graphic or set of graphics on the consumer machine 2; and sending voicemail to the recipient," (lines 17-26 of column 66).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have one or more of said notifications as graphical notifications. "Notification methods 141 can also be assigned to communications objects as a whole. For example, notification about new communications objects

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can be controlled through a NewObjectNotify method of the global preferences instance (103, FIG. 3). Described further above, the use of the NewObjectNotify method is illustrated in steps 704-706 of FIG. 15. Notification at the object level is also useful for certain communications object updates,” (lines 30-37 of column 66 in Reed). It is for this reason that one of ordinary skill in the art at the time of the applicant’s invention would have been motivated to have one or more of said notifications as graphical notifications in the system as taught by Skladman and Lagimonier.

22. Claims 25 and 56 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Lagimonier as applied to claims 17 and 48 respectively, further in view of Dillon.

Skladman and Lagimonier fail to teach criteria provided by a system administrator. However, Dillon discloses: “Moreover, the e-mail notification may also be used to indicate to an e-mail alert service subscriber that his e-mail alert account is ‘blocked’ or disabled for administrative reasons,” (lines 15-18 of column 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant’s invention to have criteria provided by a system administrator. “In other words, an e-mail account is said to be blocked when the e-mail alert system simply will not provide the e-mail alert service subscriber with e-mail notifications,” (lines 19-22 of column 4 in Dillon). It is for this reason that one of ordinary skill in the art at the time of the applicant’s invention would have been

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motivated to have criteria provided by a system administrator in the system as taught by Skladman and Lagimonier.

23. Claims 26 and 57 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Lagimonier as applied to claims 17 and 48 respectively, further in view of Reed.

Skladman and Lagimonier fail to teach one or more of said criteria are metadata. However, Reed discloses: "Service objects and partner servers provide specialized data, metadata, and methods to providers and consumers to automate many common communications services and transactions useful to both providers and consumers," (abstract).

It would have been obvious to have one or more of said criteria as metadata. "A combination of the provider and consumer programs and databases allows for additional functionality, including coordination of multiple users for a single database," (abstract of Reed). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have one or more of said criteria as metadata in the system as taught by Skladman and Lagimonier.

24. Claims 27-28 and 58-59 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Lagimonier as applied to claims 17 and 48 respectively, further in view of McKinley.

Skladman and Lagimonier fail to teach scrolling notifications and three-dimensional scrolling. However, McKinley discloses: "the message may silently crawl, pause, sequence, scroll up and down, zoom, blink, wipe on, and Venetian to mention other alternatives," (lines 37-39 of column 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have scrolling notifications and three-dimensional scrolling. "The message display system of the present invention is not only beneficial to the individual member of the general public of local user, but also may provide some entertainment and a form of amusement," (lines 14-17 of column 4 in McKinley). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have scrolling notifications and three-dimensional scrolling in the system as taught by Skladman and Lagimonier.

25. Claims 31 and 62 rejected under 35 U.S.C. 103(a) as being unpatentable over Skladman in view of Lagimonier as applied to claims 17 and 48 respectively, further in view of Wong.

Skladman and Lagimonier fail to teach providing a tactile indication to said user. However, Wong discloses: "if pager unit 22 is in a vibrate mode, microprocessor 80 outputs a signal which causes I/O interface 86 to issue a further signal to activate vibrator 95 (step 322)," (lines 58-61 of column 7)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide a tactile indication to said user. "Notification

to the user (either via beeper 94 and/or vibrator 95)” is the motivation for the addition of a tactile indication (lines 65-66 of column 7). It is for this reason that one of ordinary skill in the art at the time of the applicant’s invention would have been motivated to provide a tactile indication to said user in the system as taught by Skladman and Lagimonier.

Response to Arguments

26. Applicant's arguments filed 23 December 2004 have been fully considered but they are not persuasive.

27. (A) Regarding claims 1 and 32, the applicant asserts that Skladman does not teach, disclose, nor otherwise suggest “... displaying to said user... wherein displaying is performed while a user interface of said node is in an idle state”. The examiner respectfully disagrees.

As to point (A), the applicant states that the present invention discloses, in accordance with the claim language noted above, that “after determining that is should inform its user of the occurrence of an event, the node could take action to so inform its user while its user interface is in an idle state...” (see response to action, page 15, dated 12/23/04). This limitation of the specification cannot be read into the claims because “an idle state” is not defined in the specification in a manner that would allow one of ordinary skill in the art to determine exactly what an idle state is. Interpretations of the limitation include but are not limited to: as any state in which there is no interaction between the user and the user interface, any state in which there is no interaction between the CPU and the user

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interface, etc. As such, the user interface is considered to be in an idle state at all times except when communicating with the CPU or the user.

28. (B) Regarding claims 1 and 32, the applicant asserts that Skladman does not teach, disclose, nor otherwise suggest "... freezing display of said notifications...". The examiner respectfully disagrees.

As to point (B), the applicant states that the present invention discloses, in accordance with the claim language noted above, that "... in various embodiments the node could act to capture the current visual state of the screensaver or the like providing event information, and to display the captured visual state in a manner that allows the user to select the portions of the visual state corresponding to one or more events in order to select those events for corresponding operations". This limitation of the specification cannot be read into the claims because the term "freezing" does not appear in the specification in any context, and therefore could not reasonably be asserted to one of ordinary skill in the art that the claim language used ("freezing display of said notifications") was meant to embody only the above quoted citation and not "stopping/locking display from receiving notifications" or "freezing only the notification on the display", among others. As such, the user interface with the e-mail client disclosed in Skladman teaches the limitation discussed above.

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29. (C) Regarding claims 17 and 48, the applicant asserts that Skladman in view of Lagimonier fail to disclose, teach, or otherwise suggest all aspects of those claims. The examiner respectfully disagrees.

As to point (C), see point (A) above for remarks regarding "an idle state".

30. (D) Regarding claims 17 and 48, the applicant asserts that Skladman in view of Lagimonier fail to disclose, teach, or otherwise suggest "messages to be bypassed" as set forth in claims 17 and 48. The examiner respectfully disagrees.

As to point (D), the applicant states that Skladman instead discusses "incoming e-mail messages". Examiner contents that this is irrelevant since the messages can by bypassed or "filtered" whether they are incoming messages or not. Skladman further discloses: "Alternatively, for unimportant e-mail, subscribers can configure the filter list to act as a blocking mechanism for preventing notice of unwanted e-mail messages," (lines 40-42 of column 2). This *clearly* teaches the limitation of "messages to be bypassed" as specified in claims 17 and 48.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ozaki et al. (U.S. 5,933,478) discloses data transfer system and message receiving system.

Dillon (U.S. 6,067,561) discloses electronic mail notification system within a hybrid network that transmits notifications via continuous high-speed channel.

Shaffer et al. (U.S. 6,094,681) discloses method for automated event notification.

Bain et al. (U.S. 6,288,715 B1) discloses screensaver messaging system.

MacDonald (U.S. 2004/0068429 A1) discloses strategic organization plan development and information presentation system.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the

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Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Andrew Caldwell". The signature is fluid and cursive, with a large initial "A" and "C".

**ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER**